APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/620,984	07/16/2003	Robert M. Nebiker	TEL-038	8816

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EXAMINER
EL-ZOOBI, MARIA

ART UNIT	PAPER NUMBER
2609	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-22* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>07/16/2003</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ___All

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____ .

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   Claim 1-22 are rejected under 35 U.S.C. 102(e) as being unpatentable by Biggs

et al US (5,625407).

· Regarding claim 1, Biggs discloses, a communication control unit (Fig.1, el.102)

for facilitating a communication conference between a plurality of real time

communication devices (col.4, lines.52-56) the control unit comprising:

a local network interface for exchanging local network data (Fig.1,el.132 and

col.4, lines. 61-63) over a packet switched network (col.4, lines. 38-40) with each of the

plurality of real time communication devices (col.4, lines. 52-56)

means for receiving an identification of each of a plurality of real time

communication devices selected as conference participants (col.9, lines. 56-67;

col.11,lines.11,lines.50-67; the network address identify the endpoint device).

means for establishing a plurality of real time audio conference channels, each

channel between the control unit and a conference participant (col.8, lines.52-58) each

channel for receiving streaming audio data from the conference participant (Fig.5,

el.404-422) and for providing conference mix streaming audio to each participant (

Fig.5,el.520)

means for generating at least one conference mix signal comprising a mix of the

streaming audio data from at least two participants (Fig.5,el.520 and col.14, lines. 59-

66).

Regarding claim 2, Biggs discloses, wherein the means for establishing a real

time audio channel with each of the conference participants comprises means for

providing session signaling to each session participant (Fig.8A and 8B) and means for

negotiating the set up of a real time audio channel with a conference participant in

response to the conference participant responding to the session signaling (col.17,

lines. 6-35)

Regarding claim 3, Biggs discloses, an address book file storing address book

content (col.18, lines. 49-50; the directory contain the phone numbers of the endpoints),

the address book content comprising an identification of each of a plurality of contacts

(col.18, lines.58-60; the phone number associate with network address of each device

for identifying the location /address of each device)

means for providing the address book content to one of the real time

communication devices in response to the real time communication device providing an

indication of a request to establish a communication conference (col.11.lines. 53-60)

and the means for receiving an identification of each of a plurality of real time

communication devices selected as conference participants comprises means for

receiving an indication of subscriber selection of contacts from the address book

content (col.11.lines. 53-60).

Regarding claim 4, Biggs discloses, the means for providing the address book

content to one of the real time communication devices comprises means for providing a

conference initiation document for display on the real time communication device

(col.18, lines.51-52; the user initiate the conference by selecting call command on the

screen), the conference initiation document comprising the address book content in

association with a display template adapted for operator selection of contacts form the

address book content (col.18, lines.57-61and col.19, lines.52-58; after selecting the call

command the dial box will appear on the screen so the user can enter the phone

number of the device/devices he would like to have conference with).

Regarding claim 5, Biggs discloses, the conference initiation document

comprises means for subscriber selection of contacts (col.18, lines.47-52), a conference

initiation control (col.18, lines.47-52), and means for providing identification of the

selected contacts to the control unit in response to subscriber activation of the

conference initiation control (col.18, 58-61; the phone number identify the party that the

user wants to contact for conference).

Regarding claim 6, Biggs discloses, the means for establishing a real time

communication channel with each of the plurality of conference participants further

provides for receiving motion video data from at least one conference participant (Fig.5,

el. 402-420) and providing motion video data to at least a second conference participant

(col.8, lines. 52-68; i.e. in Fig.5, a video signals from first, second and Nth endpoint will

receive and go through the video signal routing device 500 and then through the internal

switch 518 which will direct these video signal based on the request from user/users

who would like to participate in the conference to video mixer/switch ; so video from

first endpoint will go to any endpoint or multiple end point)

a means for providing a video display document to the second conference

participant for display on the second conference participant (col.19, lines.52-58), the

video display document comprising a frame for display of the motion video data

(col.5,lines.64-66 and col.6, lines.1-5).

Regarding claim 7, Biggs discloses, means for providing a main menu document

for display on one real time communication device (col.18, lines. 40-41), the main menu

document comprising a control for subscriber selection of at least one messaging

service (col. 18, lines. 51-57; i.e. call or add party)

a control for selection of initiating a communication conference (col.18, lines.40-61), and means for providing a request to establish a conference session to the control unit in response to subscriber activation of the control for selection of initiating a communication conference (col.18, lines.40-61).

Regarding claim 8, Biggs discloses, an address book file storing address book content (col.18, lines. 49-50) the address book content comprising an identification of each of a plurality of contacts(col.18, lines.58-60) means for providing the address book content to one of the real time communication device in response to receipt of the request to establish a communication conference (col.11, lines. 46-60).

the means for receiving an identification of each of a plurality of real time communication devices selected as conference participants comprises means for receiving an indication of subscriber selection of contacts from the address book content (col.11.lines. 53-60 and col.9, lines.6-31 col.11.lines. 53-60).

Regarding claim 9, Biggs discloses, means for providing the address book content to one of the real time communication devices comprises means for providing a conference initiation document for display on the real time communication device (col.18, lines.51-52), the conference initiation document comprising the address book content in association with a display template adapted for operator selection of conference session participants (col.18, lines.57-61 and col.19, lines.52-58)

Regarding claim 10, Biggs discloses, the conference initiation document

comprises means for subscriber selection of contacts (col.18, lines.47-52), a conference

initiation control (col.18, lines.47-52) and means for providing identification of the

selected contacts to the control unit in response to subscriber activation of the

conference initiation control (col.18, 58-61).

Regarding claim 11, Biggs discloses, the means for establishing a real time

communication channel with each of the plurality of conference participants further

provides for receiving motion video data from at least one conference participant (Fig.5,

el. 402-420) and providing motion video data to at least a second conference

participant (col.8, lines. 52-68; i.e. in Fig.5, a video signals from first, second and Nth

endpoint will receive and go through the video signal routing device 500 and then

through the internal switch 518 which will direct these video signal based on the request

from user who would like to participate in the conference to video mixer/switch ; so

video from first endpoint will go to any endpoint or multiple end points); and further

comprising means for providing a video display document to the second conference

participant for display on the second conference participant (col.19, lines.52-58), the

video display document comprising a frame for display of the motion video

data (col.5,lines.64-66).

Regarding claim 12, the method analyzed with respect to claim 1, Biggs

discloses, a method for facilitating a communication conference between a plurality of

real time communication devices (col.4, lines.52-56),

the method operating in a control unit (Fig.1, el.102) and comprising:

communicating with each of a the real time communication devices (col.8, lines.

52-58) over a packet switched network (col.4, lines. 38-40) interconnecting the control

unit and each of the real time communication devices (Fig.1,el.104,106,108 and 102).

receiving an identification of each of a plurality of real time communication

devices selected as conference participants (col.9, lines. 56-67; col.11,lines.11,lines.50-

67; the network address identify the endpoint device).

establishing a plurality of real time audio conference channels, each channel

between the control unit and a conference participants (col.8, lines.52-58), each real

time audio conference channel for receiving streaming audio data from the conference

participant (Fig.5, el.404-422) and for providing a conference mix streaming audio data

to the participant (Fig.5, el.404-422)

generating conference mix streaming audio data from streaming audio data

received from at least two participants (Fig.5,el.520 and col.14, lines. 59-66).

Regarding claim 13,Biggs discloses, establishing a plurality of real time audio

channels comprises:

providing session signaling to each session participant (Fig.8A and 8B); and

negotiating set up of a real time audio channel with a conference participant in response

to the conference participant responding to the session signaling (col.17, lines. 6-35).

Regarding claim14, Biggs discloses, obtaining address book content from an

address book file (col.18, lines. 49-50), the address book content

comprising an identification of each of a plurality of contacts (col.18, lines.58-60)

    providing the address book content to one of the real time communication devices in

response to the real time communication device providing an indication of a request to

establish a communication conference (col.11.lines. 53-60)

    the step of receiving an identification of each of a plurality of real time

communication devices selected as conference participants comprises receiving an

indication of subscriber selection of contacts from the address book content

(col.11.lines. 53-60)

    Regarding claim 15, Biggs discloses, the step of providing the address book

content to one of the real time communication devices comprises providing a

conference initiation document for display on the real time communication device

(col.18, lines.51-52), the conference initiation document comprising the address book

content in association with a display template adapted for operator selection of contacts

form the address book content (col.18, lines.57-61).

    Regarding claim 16, Biggs discloses, the step of providing a conference initiation

document comprises providing script providing for: subscriber selection of contacts

(col.18, lines.47-52), a conference initiation control (col.18, lines.47-52) and

identification of the selected contacts to the control unit in response to subscriber

activation of the conference initiation control (col.18, 58-61; the phone number identify

the party that the user wants to contact for conference).

Regarding claim 17, Biggs discloses, the step of establishing a plurality of real time audio conference channels further comprises:

establishing a real time communication channel with at least one conference participant for receiving motion video data from the at least one conference participant (Fig.5, el. 402-420) and providing motion video data to at least a second conference participant (col.8, lines. 52-68; i.e. in Fig.5, a video signals from first, second and Nth endpoint will receive and go through the video signal routing device 500 and then through the internal switch 518 which will direct these video signal based on the request from user who would like to participate in the conference to video mixer/switch ; so video from first endpoint will go to any endpoint or multiple end points)

and establishing a real time communication channel with at least on other conference participant for providing a representation of the motion video data to the at least one other conference participant (col.16, lines.47-51 and col.19, lines.52-66).

Regarding claim 18,Biggs discloses, providing a main menu document for display on one real time communication device (col.18, lines. 40-41), the main menu document comprising a control for subscriber selection of at least one messaging service (col.18, lines. 51-57; i.e. call or add party),

a control for selection of initiating a communication conference (col.18, lines.40-61) and means for providing a request to establish a conference session to the control unit in response to subscriber activation of the control for selection of initiating a

communication conference (col.18, lines.40-61).

Regarding claim 19, Biggs discloses, obtaining address book content from an

address book file (col.12, lines. 24-28) the address book content comprising an

identification of each of a plurality of contacts (col.11, lines. 46-60); providing the

address book content to the request to establish a conference session (col.11, lines. 46-

60).

the step of receiving an identification of each of a plurality of real time communication

devices selected as conference participants comprises receiving an indication of

subscriber selection of contacts from the address book content

an address book file storing address book content, the address book content

comprising an identification of each of a plurality of contacts (col.9, lines.6-31 and

col.11, lines. 61-67 and col.12,lines1-3).

Regarding claim 20, Biggs further discloses, the step of providing the

address book content to one of the real time communication devices comprises

providing a conference initiation document for display on the real time communication

Device (col.5, lines. 64-66), the conference initiation document comprising the address

book content in association with a display template adapted for operator selection of

contacts form the address book content (col.18, lines. 38-44).

Regarding claim 21, Biggs discloses, step of providing a conference initiation

document comprises providing script providing for: subscriber selection of contacts

(col.18, lines.47-52), a conference initiation control(col.18, lines.47-52), an identification

of the selected contacts to the control unit in response to 30 subscriber activation of the

conference initiation control (col.18, 58-61).

Regarding claim 22, Biggs discloses, the step of establishing a plurality of real

time audio conference channels further comprises:

establishing a real time communication channel with at least one conference

participant (Fig.5, el. 402-420) for receiving motion video data from the at least one

conference participant and providing motion video data to at least a second conference

participant (col.8, lines. 52-68; i.e. in Fig.5, a video signals from first, second and Nth

endpoint will receive and go through the video signal routing device 500 and then

through the internal switch 518 which will direct these video signal based on the request

from user who would like to participate in the conference to video mixer/switch ; so

video from first endpoint will go to any endpoint or multiple end points)

and establishing a real time communication channel with at least on other conference

participant for providing a representation of the motion video data to the at least one

other conference participant (col.16, lines.47-51 and col.19, lines.52-66).
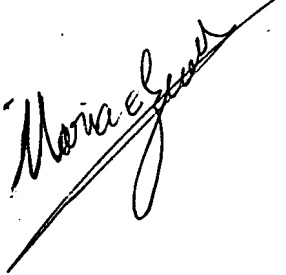
Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Maria El Zoobi whose telephone number is 571-270-

3434. The examiner can normally be reached on Monday-Friday (8AM-5 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Hai Tran can be reached on 571-272-7305. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

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USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

M EI

SCOTT E. BELIVEAU
PRIMARY PATENT EXAMINER